

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA
UNITED STATES DISTRICT COURT
for the 2005 JUL 13 PM 1:41
DISTRICT OF NEBRASKA
OFFICE OF THE CLERK

U.S.A. vs. Kenneth Lee Johnson III

Docket No. 4:05CR3166

Petition to Modify Conditions of Pretrial Release

COMES NOW Fred A. Samway, PRETRIAL SERVICES OFFICER, presenting an official report upon the conduct of defendant Kenneth Lee Johnson III, who was placed under pretrial release supervision by the Honorable David L. Piester sitting in the Court at Lincoln, Nebraska, on May 11, 2005, under the following condition:

1 (d) *The defendant shall reside at Byers Flats, Hastings, Nebraska at all times. The defendant shall abide by all of the rules of the said facility. In the event that the defendant is discharged from the facility for any reason whatsoever or leaves the premises of the facility without authorization, the United States Marshal, and/or any Special Agent of the FBI and/or any law enforcement agency is ordered to take the defendant into custody and detain the defendant pending a prompt hearing before the court to review the conditions of release.*

Respectfully presenting petition for action of Court and for cause as follows:

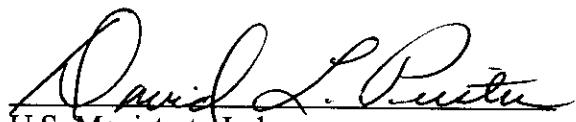
Mr. Johnson has requested permission to receive overnight passes from Byers Flats.. According to staff at the facility, they have no objection to granting such passes.

PRAYING THAT THE COURT WILL ORDER that condition 1 (f) be modified as follows:

1 (d) The defendant shall reside at Byers Flats, Hastings, Nebraska at all times, unless an approved pass has been given by both the supervising officer and an approved staff member of the facility. The defendant shall abide by the rules of the facility and not leave the facility unless with the permission of an authorized staff member of Byers Flats.

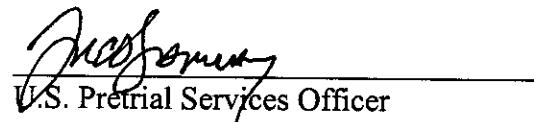
ORDER OF COURT

Considered and ordered this 13th day of July, 2005 and ordered filed and made a part of the records in the above case.


U.S. Magistrate Judge

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: July 13, 2005


U.S. Pretrial Services Officer

Place: Lincoln, Nebraska